

BOARD OF COUNTY COMMISSIONERS
Agenda Item Summary

Meeting Date 8/18/04

Division

County Attorney

AGENDA ITEM WORDING

Approval of settlement offer in Monroe County v. David Laquerre, CE03050022.

ITEM BACKGROUND

Mr. Laquerre has offered to settle his \$38,350.00 code enforcement lien for \$1917.50, which represents 5% of the amount owed. Mr. Laquerre's incarceration in Federal prison since November 2002 has hampered his efforts to correct violations created by his brother who built a seawall and installed pavers without benefit of permit and kept an abandoned vehicle on the property. Once fines were imposed, Mr. Laquerre replaced his brother with a contractor who was hired to demolish the unpermitted work. That contractor worked quickly to achieve compliance.

As the attached documentation indicates, Mr. Laquerre is scheduled to be released from prison in 2006.

PREVIOUS RELEVANT BOCC ACTION

The Board authorized the County Attorney's office to foreclose on 7/14/04.

CONTRACT/AGREEMENT CHANGES – n/a

STAFF RECOMMENDATIONS – Approval. Due to circumstances, staff believes this offer is reasonable.

TOTAL COST

BUDGETED Yes No

COST TO COUNTY

SOURCE OF FUNDS

APPROVED BY: County Attorney ■ OMB/Purchasing ! Risk Management !

DIVISION DIRECTOR APPROVAL:

 07/30/07
JOHN R. COLLINS

DOCUMENTATION: Included xx

AGENDA ITEM # _____

05

**BEFORE THE CODE ENFORCEMENT SPECIAL MASTER
OF MONROE COUNTY, FLORIDA**

The Honorable J. Jefferson Overby, Presiding

MONROE COUNTY, FLORIDA

Petitioner,

vs.

CASE NO.: CE03050022

DAVID J. LAQUERRE

Respondent(s)

_____ /

SETTLEMENT AGREEMENT

The Petitioner Board of County Commissioners of Monroe County and David J. Laquerre, Respondent(s), hereby agree to settle the code enforcement lien imposed in the above-referenced case by the Special Master against property owned by the Respondent(s) as follows:

1. The parties agree to settle the code enforcement lien for \$1917.50.
2. The property in question has a legal description of Block 5, Lot 5, Cahill Pines & Palms, Big Pine Key, Monroe County, Florida (RE: 00244340-000000).
3. Upon approval of this agreement by the Board of County Commissioners, the Respondent(s) shall remit a check in the amount of \$1917.50 made payable to the Board of County Commissioners.
4. Once the aforementioned check has cleared, the County will issue to the Respondent(s) a release and satisfaction of said lien for filing by the Respondent(s) in the Official Records of Monroe County.
5. The County will file a copy of the release and satisfaction in the official Code Enforcement file.
6. By entering into this agreement, the each party agrees to waive any and all claims that it could have raised and/or potential claims that it might have been able to raise as a result of the above-captioned code enforcement case.
7. Both parties warrant that they have had an opportunity to consult with counsel before entering into this agreement.

8. Each party agrees to bear its own costs and attorney's fees other than as specified in this agreement.

(SEAL)

Attest: DANNY L. KOLHAGE, Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By _____
Deputy Clerk

Dated _____

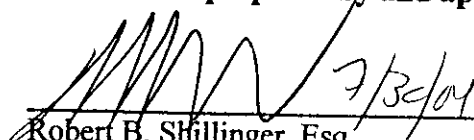
By _____
Mayor/Chairperson

David J. Laquerre, Respondent

Notary Public

By: _____
(date)

This document was prepared by and approved for legal sufficiency by:


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